

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

21-CR-131

TARRELL HENDRIX,

Defendant.

ORDER

Before the Court is Defendant Terrell Hendrix's Motion for Jury-related relief. Dkt. 54. His motion seeks four things: (1) early release of the jury venire list; (2) release of records documenting the race, ethnicity, and/or national origin of all potential jurors comprising the jury venire, and all potential jurors who were excused or deferred from the venire for reasons relating to the COVID-19 pandemic (or in the alternative, the release of records documenting the names, city or town of residence, and zip code of all potential jurors excused or deferred from service in the venire for reasons related to the COVID-19 pandemic); (3) to have prospective jurors complete the pre-screening questionnaire prepared by the Court's Jury Task Force and to add a question asking prospective jurors of their opinion of the Buffalo Police department and other law enforcement; and (4) use of 34 *voir dire* questions.

In response, Dkt. 69, the Government has indicated that it does not contest Hendrix's request to have the jury venire list released. Nor does it oppose the release of jury records indicating demographic information such as race, ethnicity,

and address of potential jurors. However, the Government opposes the release of any records containing information related to COVID-19 exclusions. In addition, the Government opposes Hendrix's request with respect to the pre-screening questionnaire, and all "pointed race questions" in Hendrix's proposed *voir dire* questions. Dkt. 69, p. 4.

Based on the parties' submissions, and in the Court's considered judgment, Hendrix's motion is **DENIED** in part and **GRANTED** in part, as follows:

1. The jury venire list shall be released on **January 21, 2022**.

Counsel may obtain the list from the jury administrator.

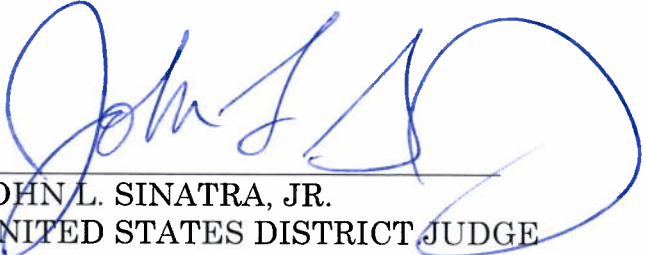
2. Records documenting the race, ethnicity, and/or national origin of the potential jurors comprising the venire shall be released on **January 21, 2022**, and records documenting the same information of the potential jurors excused or deferred from serving in the venire for COVID-19 related reasons shall be released on **January 28, 2022**. Hendrix's alternative request for the release of records documenting the names, city or town of residence, and zip code of all potential jurors excused or deferred from service in the venire for reasons related to the COVID-19 pandemic is **DENIED** without prejudice.
3. Hendrix's request regarding the pre-screening questionnaire and specific question is **DENIED**. Such questionnaire is not needed or

appropriate in this trial. Proposed questions will be addressed via the Court's *voir dire* process, as appropriate.

4. The Court **DENIES** Hendrix's proposed *voir dire* questions as stated, but notes that they will be considered in the Court's formulation of *voir dire* questions, as appropriate.

SO ORDERED.

Dated: January 14, 2022
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE